

L Aid On Desks 6/9/14
GOVERNMENT SERVICES & ADMINISTRATION

RESOLUTION NO. 2014171

RE: LOCAL LAW NO. OF 2014, A LOCAL LAW
AMENDING THE DUTCHESS COUNTY ADMINISTRATIVE CODE TO
RE-NAME, REORGANIZE, AND REPURPOSE THE DUTCHESS COUNTY
"YOUTH BOARD" BY CHANGING REFERENCES TO "YOUTH BOARD"
IN SECTION 16.03(1)(e), (f), AND (g) TO "YOUTH BOARD &
COORDINATING COUNCIL," AND BY DELETING AND REPLACING
SECTION 16.04A(1) THROUGH (5) AND SECTION 16.04B(1) THROUGH (4)

Legislators FLESLAND, BOLNER, KELSEY, HORTON, STRAWINSKI,
JETER-JACKSON, and JOHNSON offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No.
_____ of 2014 which has been submitted this day for consideration by said Legislature.

CA-104-14

CRC/ca/G-0207

6/4/14

Fiscal Impact: None

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of July 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of July 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. ____ of 2014

RE: A LOCAL LAW PROVIDING FOR
AMENDING THE DUTCHESS COUNTY ADMINISTRATIVE CODE TO
RE-NAME, REORGANIZE, AND REPURPOSE THE DUTCHESS COUNTY
“YOUTH BOARD” BY CHANGING REFERENCES TO “YOUTH BOARD”
IN SECTION 16.03(1)(e), (f), AND (g) TO “YOUTH BOARD &
COORDINATING COUNCIL,” AND BY DELETING AND REPLACING
SECTION 16.04A(1) THROUGH (5) AND SECTION 16.04B(1) THROUGH (4)

BE IT ENACTED by the County Legislature of the County of Dutchess, State of New York as follows:

SECTION 1. Section 16.04A (1) through (5) and Section 16.04B (1) through (4) are hereby deleted in their entirety.

SECTION 2. LEGISLATIVE INTENT.

Create the Dutchess County Youth Board & Coordinating Council.

Modeled after the successful Criminal Justice Council, we will bring together our stakeholders and utilize the talent and experience found throughout those agencies and organizations serving our kids. Its mission will be to strengthen community and family interaction with our young people in an effort to prevent crime, improve quality of life, and empower young people to lead productive lives and achieve greater success for themselves and their families.

By repurposing our Youth Board, the new Coordinating Council will bring together representatives from government, not-for-profits, businesses, and educational institutions. The Council will examine community risk factors, study best practices from other communities, and develop strategies to better address the challenges confronting young people today. The Council will be advisory in nature, advising the County Legislature and Executive on youth policy, through the Division of Youth Services located within the Department of Community & Family Services (DCFS).

Additionally, the Council will work to develop community coalitions throughout the County. By empowering local volunteers in each “region,” we can more effectively engage the community and empower our young people.

This is a critical effort and among their goals will be to address recreation needs, teen violence, gang activity, child abuse and exploitation – as well as our growing drug addiction problem.

SECTION 3. Article XVI of the Dutchess County Administrative Code is hereby amended as follows:

A. Section 16.03(1)(e) shall read as follows:

(e) review and analyze grants provided to the Youth Services Division from federal, state and local governments as well as those from private individuals, corporations, and associations, and have the Youth Board & Coordinating Council establish local criteria for their allocation.

B. Section 16.03(1)(f) shall read as follows:

(f) in cooperation with the Youth Board & Coordinating Council, effectuate the Resource Allocation Plan (RAP) and review, analyze, accept or reject proposals for the creation or expansion of recreational services and youth services or other youth programs as defined by the laws of New York State, and make appropriate recommendations to the County Executive.

C. Section 16.03(1)(g) shall read as follows:

(g) develop and implement an integrated county plan approved by the Youth Board & Coordinating Council and the County Executive that includes a statement of goals and objectives, youth problem analysis, and methods for evaluation, monitoring and control in conjunction with required partner agencies.

D. Section 16.04 shall read as follows:

Section 16.04. The Youth Board & Coordinating Council, Powers, Duties.

A. The Youth Board & Coordinating Council shall continue the work of the Youth Board without interruption, shall act as an advisory board reporting to the Director of Youth Services, and consist of the following members:

(1) Composition of board. The Youth Board & Coordinating Council shall be representative of the community it serves. It shall have no more than 22 members, who shall be appointed by the County Executive with the exception of the 2 legislator appointments which shall be made by the Chairman of the Legislature (one from minority and one from majority). The total membership of the Youth Board & Coordinating Council shall reflect a balance between government and nongovernment representatives who are directly concerned with the well-being of youth, including a minimum of two and maximum of five youth, plus: two members from primary, secondary, and/or higher education; four from the nonprofit community including one from the Workforce Investment Board and one from the Dutchess County Regional Chamber of Commerce; four from specific county departments/functions including Department of Community & Family Services (in addition to the Executive Director of the Youth Bureau who shall be a non-voting member except in the case of a tie vote), Department of Mental Hygiene, Department of Health, and Chair of the Health & Human Services Cabinet; and the rest (five at most) will serve at large. Regional and diverse representation is encouraged and recommended. All appointments of

youth board members shall conform to federal, state and/or local requirements applicable to municipalities regarding equal opportunity and affirmative action.

- (2) Youth Representatives. Youth representatives are defined as under the age of twenty-one at time of appointment to term.
- (3) Terms for Representatives. Terms of Youth Board & Coordinating Council representatives shall be two years with a term being from September 1st to August 31st. Nongovernment representatives shall not serve more than two full consecutive terms. Legislator terms will be concurrent with their terms as legislators, serving at the pleasure of the Chairman. All other appointments serve at the pleasure of the County Executive.
- (4) Chairperson and Officers. The Youth Board & Coordinating Council shall annually elect from its membership a chairperson and such other officers as it may authorize in accordance with its rules and regulations.
- (5) All appointments of Youth Board & Coordinating Council members shall conform to federal, state and/or local requirements applicable to municipalities regarding equal opportunity and affirmative action.

B. Powers, duties and responsibilities of Youth Board & Coordinating Council:

- (1) After consultation with the Executive Director of the Youth Bureau, develop and/or recommend policies and/or plans which promote youth development and prevent delinquency.
- (2) Advocate for youth with the executive, administrative and legislative bodies and the community at large regarding the development of services and strategies which address locally identified youth problems and needs.
- (3) Establish closer cooperation among employers, labor, school, churches, recreation and/or youth commissions, service clubs, youth and family service providers and other public and private agencies to encourage youth programs on the basis of local community planning.
- (4) Review and analyze grants given to the Youth Board & Coordinating Council from federal, state and local governments as well as from private individuals, corporations, and associations and establish local criteria for the allocation.
- (5) In cooperation with the Youth Bureau's Executive Director, review and analyze, as well as accept or reject proposals for the creation or expansion of recreational services and youth service projects or other youth programs as defined by the laws of the State of New York, and make appropriate recommendations to the County Executive.
- (6) Receive, review and analyze statistical records and data, including those that reflect the incidence and trends of delinquency as well as youthful crimes and offenses in the locality. Make necessary studies and recommendations regarding the needs of youth residing in the community served by the board.

- (7) Appoint such advisory groups and committees as may be necessary to carry out its powers and duties.
- (8) Develop and implement the integrated county plan.

SECTION 4. SEVERABILITY. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the cause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 5. EFFECTIVE DATE. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

ARTICLE XVI

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES^{38, 50, 70}

Section

- 16.01 Department of Community and Family Services; Deputies and Staff; Appointment.
- 16.02 Acting Commissioner of Community and Family Services
- 16.03⁶⁸ Youth Services.
- 16.04 The Youth Board, Powers, Duties
- 16.05 Reports.

Section 16.01. Department of Community and Family Services; Deputies and Staff; Appointment.

The Commissioner of Community and Family Services shall have the power to recommend to the County Executive appointment of such Deputy Commissioners, assistants and employees, as shall be authorized by the County Legislature. Such Deputy Commissioners, assistants and employees shall meet the qualifications prescribed by the Social Services Law and the Commissioner of Social Services of the State of New York. All Deputy Commissioners of Community and Family Services, assistants and employees shall be directly responsible to the Commissioner of Community and Family Services, except where otherwise provided by the County Charter, Code or other law.

Section 16.02. Acting Commissioner of Community and Family Services.

The Commissioner, subject to the approval of the County Executive, shall designate in writing, in order of succession, the Deputy Commissioners of Community and Family Services who shall be the Acting Commissioner of Community and Family Services in the event of his absence from the County or inability to perform and exercise the powers and duties of his office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner filing a new written designation and order of succession. The Acting Commissioner of Community and Family Services shall have all the powers and perform all the duties of the Commissioner.

Section 16.03. ⁶⁸ Department of Community and Family Services. In addition to social services, the Department of Community and Family Services shall provide the following services through the Division of Youth Services:

Youth Services. The Director of Youth Services shall:

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1. be responsible for providing the following general services in connection with the County's youth population which shall include but not be limited to:

a. providing youth development service and programs;
b. develop and/or recommend policies and/or plans which promote youth development and prevent delinquency;

c. advocate for youth regarding the development of services and strategies which address locally identified youth problems and needs;

d. establish closer cooperation among employers, labor, school, churches, recreation and/or youth commissions, service clubs, youth and family services providers and other public and private agencies to encourage youth programs on the basis of local community planning;

e. review and analyze grants provided to the Youth Services Division from Federal, State and local governments and from private individuals, corporations, and associations, and have the Youth Board establish local criteria for their allocation;

f. in cooperation with the Youth Board, effectuate the Resource Allocation Plan (RAP) and review, analyze, accept or reject proposals for the creation or expansion of recreational services and youth services or other youth programs as defined by the laws of New York State, and make appropriate recommendations to the County Executive;

g. develop and implement an integrated county plan approved by the Youth Board and County Executive that includes a statement of goals and objectives, youth problem analysis and methods for evaluation, monitoring and control in conjunction with required partner agencies; and

h. make the necessary studies and recommendations regarding the needs of youth residing in the County.

i. The Director of Youth Services shall also hold the title of Executive Director of the Youth Bureau as set forth in Article 19-A of the New York State Executive Law.

2. The Commissioner of Community and Family Services in consultation with the Director of Youth Services may from time to time add or delete such programs as allowed by statute, rule or regulation.

Section 16.04. The Youth Board, Powers, Duties.

A. The existing Youth Board shall continue without interruption and shall act as an advisory board to the Director of Youth Services which shall consist of the following:

(1) District Representatives. Fifteen district representatives to be appointed by the County Executive and confirmed by the County Legislature, in accordance with the following schedule:

<u>District</u>	<u>Number of Representatives</u>
I (Towns of Beekman, Pawling, Dover)	1
II (Towns of Amenia, Pine Plains, Stanford and	

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	North East)	1
III	(Towns of Red Hook, Rhinebeck, Hyde Park, Milan and Clinton)	2
IV	(City of Poughkeepsie)	2
V	(City of Beacon)	1
VI	(Town of Poughkeepsie)	2
VII	(Towns of Pleasant Valley, LaGrange, Washington and Union Vale)	2
VIII	(Town of Wappinger, Fishkill and East Fishkill)	3
	At Large District (County-wide)	1

(2) Youth Representatives. Four youth representatives under the age of twenty-one to be appointed by the County Executive. Youth representatives shall serve one year terms. No youth representative shall serve more than three full consecutive terms.

(3) Staggered Terms for District Representatives. District representatives appointed pursuant to subsection (1) above, first serving on the Youth Board shall be appointed to initial terms commencing July 1, 1980 as follows:

One representative of Districts III, VI and VIII and the two representatives of District VII shall serve a term of one year;

The representative of District V, one representative of District VIII and IV and the remaining representatives of Districts III and VI shall serve a term of two years;

The representatives of District I, II and the At Large District representative and the remaining representatives of Districts IV and VIII shall serve a term of three years.

Thereafter, the succeeding terms of all Youth Board district representatives shall be three years. No district representative shall serve more than two full consecutive terms.

(4) Educational Representatives. The membership of the Board shall include at least one representative of the public high school system in Dutchess County and at least one representative of institutions of higher education in Dutchess County.

(5) Ex-Officio Members. In addition to the above, the following will serve on the Youth Board as ex-officio representatives. Ex-officio members shall be entitled to vote.

- (a) The Commissioner of Health;
- (b) The Commissioner of Community and Family Services;
- (c) The Director of Probation and Community Corrections;
- (d) The Sheriff;
- (e) The Commissioner of Mental Hygiene;
- (f) A Judge of the Family Court;
- (g) Two members of the County Legislature designated by the presiding officer, not more than one of whom shall be members of one political party, and one of whom shall be the Chairperson of the Family and Human Services committee of the Dutchess County Legislature or his or her designee who must be a member of the Family and Human Services committee.⁷²

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(6) Vacancy. If a vacancy occurs on the Youth Board and the County Executive fails to submit the name of an appointee for confirmation to the Legislature to fill such vacancy within 60 days of the date the vacancy occurs, then the Legislature may fill such vacancy by resolution.

(7) Chairperson and Officers. The Youth Board shall annually elect from its membership a chairperson and such other officers as it may authorize in accordance with its rules and regulations. Ex-officio members of the Board shall not be eligible to hold such offices.

(8) All appointments of Youth Board members shall conform to Federal, State, and/or local requirements applicable to municipalities regarding equal opportunity and affirmative action.

B. The Youth Board shall have the following responsibilities:

1. Advise the County Executive and support the Youth Services' functions as defined by New York State laws and regulations of New York State Office of Children and Family Services.

2. Receive, review and analyze statistical records and data including those that reflect the incidence and trends of delinquency and youthful crimes and offenses in the county;

3. Participate in and approve the Integrated County Plan; and

4. Set the funding priorities and recommend to the County Executive the Resource Allocation Plan amounts.

Section 16.05. The Commissioner of Community and Family Services in consultation with the Director of Youth Services shall submit an annual report of the department's activities to the County Executive. The Commissioner shall also be responsible for filing necessary reports as may be required by Federal or State law, rule or regulation.

38 Article XVI, deleted in its entirety by Resolution No. 327 of 1993. Local Law No. 7 of 1993. (New Article XVI added by Resolution No. 195 of 1997. Local Law No. 6 of 1997.)

50 Article XI, Social Welfare, Department of renumbered XVI and renamed Social Services, Department of by Resolution No. 195 of 1997. Local Law No. 6 of 1997.

68 Article XVI, amended to add Sections 16.03, 16.04, 16.05 by Resolution No. 2012323. Local Law #7 of 2012.

70 Article XVI, amended to rename Department of Social Services the Department of Community and Family Services by Resolution No. 2012324. Local Law No. 8 of 2012.

72 Article XVI, Section 16.04 Section A(5)(g) amended by Resolution No. 2013232, Local Law No. 8 of 2013.

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